

Federal Certified Assurances

Upon approval of an application, the applicant and the lead government unit hereby agree to the following Certified Assurances governing the awarding of funds made available under the Anti-Drug Abuse Act of 1988.

1. That: (A) funds granted as a result of this request are to be expended for the purposes set forth in this application and in accordance with all applicable laws, regulations, policies, and procedures of the State of Nevada and the Federal Emergency Management Agency; (B) no expenditures will be eligible for inclusion if occurring prior to the effective date of the grant; and (C) funds awarded by the Division of Emergency Management (DEM) may be terminated at any time for violations of any terms and requirements of this agreement.
2. As required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants' responsibilities, published as Part VII of the May 26, 1988 Federal Register, pages 19160-19211, the prospective primary participant(s) certify to the best of their knowledge and belief, that they and their principals:
 - 1) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - 2) have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violated federal or state antitrust statutes or commission of records; made false statements, or received stolen property;
 - 3) are not presently indicted for or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph b) above;
 - 4) have not within a three year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and
 - 5) if the prospective primary participant(s) cannot certify to any of the statements in paragraphs a) through d), they will attach a statement of explanation to this application.

3. That the federal formula grant funds made available under the Anti-Drug Abuse Act of 1988 will not be used to supplant state or local funds, but will be used to increase the amount of such funds that would, in the absence of federal funds, be made available for emergency management activities.
4. That the applicant will comply, including contracts with the applicable provisions of the Anti-Drug Abuse Act of 1988 and guidance of the Division of Emergency Management Programs "CCA General Program Guidelines CPG 1-3" and all other applicable federal laws, orders, circulars, or regulation.
5. The applicant certifies that the programs contained in its application meet all the requirements, that all the information is correct, and that the applicant will comply with applicable provisions of the Anti-Drug of 1988 and all other applicable federal laws.
6. That all fund accounting, auditing and program monitoring as may be necessary to keep such records as the DEM shall prescribe will be provided to assure fiscal control, proper management, and efficient distribution of funds received under the Anti-Drug Act of 1988.
7. That applicant assures that the fiscal accountability of the Anti-Drug Abuse funds (all sources, including federal, state and local match portions) will be managed to ensure compliance with DEM documentation, record keeping, accounting and reporting guidelines and will reside with that individual.
8. That the applicant and its contractors will comply with the nondiscrimination requirements of the Anti-Drug Abuse Act of 1988; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; and the Emergency Management 44 CFR Ch 1- subgrant A-E; and the American Disabilities Act of 1992.
9. That in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the applicant will forward a copy of the finding to the Office of Civil Rights Compliance (OCRC), Office of Justice Programs.
10. That applicant will formulate an equal employment opportunity program (EEOP) in accordance with 44 CFR Part 16, and upon request, will submit a certification to the state that it has a current EEOP on file which meets the requirements therein. Applicants, upon request, will provide the name, address, and phone number of an Equal Employment Opportunity contact person, who has lead responsibility in

ensuring that all applicable Equal Employment Opportunity requirements are met and who acts as liaison to DEM in such matters.

11. That audit requirements as specified in OMB Circular A-133, Audits of State and Local Governments, or OMB Circular A-110, Attachment F, will be followed.
12. The applicant assures that it will comply with federal laws and regulations applicable to federal assistance programs and with provisions of 44 CFR applicable to grants and cooperative agreements including Part II, Applicability of Office of Management and Budget Circulars; Part 13, Administrative Review Procedure; Part 14, Part 16, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 10, Procedures for Implementing the National Environmental Policy Act; and Part 9 Floodplain Management and Wetland Protection Procedures.
13. Any publication (written, visual, or sound, but excluding press releases, newsletters, and issue analysis) issued by the subgrantee describing programs funded in whole or in part with Federal funds, shall contain the following statement:

“This program was supported by FEMA Grants awarded by the Nevada Division of Emergency Management, Department of Motor Vehicles and Public Safety. Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the Federal Emergency Management Agency.”
14. That applicant (sub-grantee or contractor) under a grant, a contractor under a cooperative agreement, and a subcontractor under a contract, who requests or receives federal funds exceeding \$100,000 shall agree to file a written declaration of lobbying activities in accordance with federal requirements.
15. That applicant fully understands DEM’s right to suspend or terminate grant funds to any subgrantee that fails to conform to the requirements (Special/General Conditions and General Operating Policies) or to any subgrantee that fails to comply with the terms and conditions of its grant award.
16. LOBBYING - No federal appropriated funds have been paid or will be paid, by or on behalf of the subgrantee, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into any cooperative agreement, and the extension, renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement. Reference Appendix C

17. The certification regarding drug-free work place requirements applies to all state agencies who are recipients of Federal funding under the Anti-Drug Abuse Act. Reference Appendix C
18. The Grantee (State) is hereby delegated the authority to approve the allocation, use and expenditure of funds made available by this award for confidential expenditures as defined and set forth in the effective edition of the "CCA General Program Guidelines and 44 CFR part 13 and 14". The Grantee also agrees to be responsible for monitoring the submission of and maintaining the official documents connected with this requirement, and making them available to DEM upon request.
19. Project related income, (i.e., forfeitures, registration fees, royalties, sales of real and personal property) must be used for the purpose for furthering the goals and objectives of the project or program from which the income was generated.

Signature _____ Date _____
Emergency Manager

APPROVED AS TO FORM

Thomas R. Green 9/12/06
Thomas R. Green Date
Deputy City Attorney